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HEWLETT-PACKARD COMPANY  
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P.O. Box 272400  
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**PATENT APPLICATION**ATTORNEY DOCKET NO. 200205862-1**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**Inventor(s): **Stewart R. WYATT et al.**

Confirmation No.: 5988

Application No.: 10/695,363

Examiner: Scott C. Sun

Filing Date: 10/28/2003

Group Art Unit: 2182

**Title: A SYSTEM HAVING A STORAGE CONTROLLER THAT MODIFIES OPERATION OF A STORAGE  
SYSTEM BASED ON THE STATUS OF A DATA TRANSFER**

Commissioner For Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner date, 12/29/2005, rejecting the following claims 1, 2 & 4-9. The fee for this Notice of Appeal is (37 CFR 1.17(B)) **\$500.00.**

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.13 6(a) apply.

☐ (a) Applicant petitions for an extension of time under 37 CFR 1.136 (FEES: 37 CFR 1.17 (a)-(d) for the total number of months checked below:

☐ 1st Month  
\$120

☐ 2nd Month  
\$450

☐ 3rd Month  
\$1020

☐ 4th Month  
\$1590


☐ The extension fee has already been filed in this application

☒ (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account **08-2025** the sum of \$ 500.00. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account **08-2025** pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account **08-2025** under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

☐ I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Commissioner for Patents, Alexandria, VA 22313-1450  
Date of Deposit:

**OR**

☒ I hereby certify that this paper is being transmitted to the Patent and Trademark Office facsimile number (571) 273-8300.  
Date of facsimile: 03/14/2006  
Typed Name: Colleen F. Brown  
Signature: 

Respectfully submitted,

Stewart R. WYATT et al.

By 

Alan D. Christenson

Attorney/Agent for Applicant(s)

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Rev 10/05 (NoteAppeal)

03/15/2006 JBALINAN 00000055 082025 10695363

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